

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

APOTEX, INC.,)	
)	
Plaintiff,)	
)	
v.)	CIVIL ACTION
)	
CEPHALON, INC., <u>et al.</u>)	No. 2:06-cv-2768-MSG
)	
Defendants.)	
)	

DEFENDANT CEPHALON, INC.'S NOTICE OF APPEAL

Defendant Cephalon, Inc. ("Cephalon") hereby appeals to the United States Court of Appeals for the Federal Circuit from the Partial Final Judgment entered by the Court in this case on April 25, 2012 (Dkt. No. 557), and from any and all other orders, rulings, findings and/or conclusions merged into that judgment and decided adversely to Cephalon (in whole or in part) including, but not limited to, the April 9, 2012 Order (Dkt. No. 554), the March 28, 2012 Memorandum Opinion, Order and Judgment (Dkt. Nos. 545, 546), the March 15, 2011 Order (Dkt. No. 435), the November 7, 2011 Amended Memorandum Opinion (Dkt. No. 516), the October 31, 2011 Memorandum Opinion, Order and Judgment (Dkt. Nos. 513, 514), the October 7, 2010 Memorandum Opinion and Order (Dkt. Nos. 335, 336), and the February 23, 2010 Memorandum Opinion and Order (Dkt. No. 204, 205).

Submitted herewith is payment of the \$5 filing fee required by 28 U.S.C. § 1917, and the \$450 docketing fee required by Federal Circuit Rule 52(a)(3)(A), paid to this Court pursuant to Federal Rule of Appellate Procedure 3(e) and Federal Circuit Rule 52(a)(2).

Dated: May 7, 2012

Respectfully submitted,

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Attorneys for Defendant Cephalon Inc.

CERTIFICATE OF SERVICE

I certify that on the date set forth below the foregoing Defendant Cephalon, Inc.'s Notice of Appeal was electronically filed pursuant to the Court's CM/ECF system, and the document is available for downloading and viewing from the CM/ECF system. Notice of this filing will be sent to all counsel of record by operation of the CM/ECF system.

s/ Nancy J. Gellman
Nancy J. Gellman

Date: May 7, 2012